1952.

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File No. Lunacy II/52

Legal Dept. (A)

B BRANCH

P.2(6)/1952

Subject:—

Notifications under the Indian Lunacy Act 1912

File No. Lunacy II/52 A

Gen. 194

147 B

Legal Department.

The draft notification at p. 5 ante as framed by the L.S.G.& P.H.D. is not in order.

The Indian Lunacy Act, 1912, has been extended to all the States merged in the State of Bombay by the Bombay Merged States(Laws) Act, 1950. Under clause(b) of sub-section (3) of section 3 of the said Act, any appointment,delegation, notification, order, rule, by-law or regulation made, issued or prescribed in respect of any specified local area, shall be deemed to extend to and to be in force also in any area in the merged States which has been included in such local area under any law for the time being in force.

From the draft notification at p. 5 ante, it appears that the area of Miraj Senior has been included in the then existing Madha and Pandharpur talukas of the Bombay State and the area of Miraj Junior has been included in the Mahol and Pandharpur talukas of the Bombay State.

If a notification under section 5(4) of the Indian Lunacy Act, 1912 has been issued prior to the merger of States in respect of Madha, Pandharpur and Mahol talukas, then that notification would automatically extend to and be in force in the areas of Miraj Senior and Miraj Junior by virtue of section 3(3)(b) of the Bombay Merged States(Laws)Act, 1950. In that case it would be necessary to issue a notification only in respect of Mangalwedha and Akalkot

Talukas.

Before the draft notification is scrutinised the L.S.G.& P.H.D. is requested to verify whether a notification under section 5(4) of the Act has been issued in respect of Madha, Mahol and Pandharpur talukas prior to the date of the inclusion of the areas of Miraj Senior and Miraj Junior in those talukas.

Id./.....R.D..... 21/1

Additional Secretary to Government.

U.R. to L.S.G.& P.H.D.No. 953, dated 21st January 1952.

SMR 3-7-56
4 Copies.